

REMARKS

Claims 1, 2, 7, 8, 15 and 16 are pending in this application. By this Amendment, claim 1 is amended to recite that the transition metal catalyst component of the NO₂ decomposition catalyst is selected from the group consisting of iron, manganese, cobalt, copper, nickel, vanadium, yttrium, zinc, niobium and molybdenum in order to more fully define the particulate matter combustion catalyst of claim 1 over the teachings of EP 0 852 966, as discussed more extensively below.

No new matter is added by this Amendment. Support for the amendment to claim 1 may be found in the original specification at, for example, page 5, lines 14-20.

I. Allowable Subject Matter

Applicants note with appreciation the indication in the Office Action that claims 15 and 16 contain allowable subject matter.

II. Rejection Under 35 U.S.C. §103(a)

Claims 1, 2, 7 and 8 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over EP 0 852 966 (hereinafter EP 966). This rejection is respectfully traversed.

EP 966 describes an exhaust gas purifying catalyst comprising a first powder of porous particles supporting rhodium and a second powder of porous particles supporting platinum and a nitrogen oxide adsorbing material selected from among alkali metals, alkaline earth metals and rare earth metals. See the Abstract and page 8, lines 25-29.

At the bottom of page 4 of the Office Action, the Patent Office alleges that the first powder of EP 966 corresponds to the NO₂ decomposition catalyst in the present claims and the second powder corresponds to the NO oxidation catalyst in the present claims. Applicants respectfully submit that EP 966 fails to teach or suggest the particulate matter combustion catalysts of claims 1 and 2.